



Spill Prevention and Response Program

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Problem Definition

Our society depends on large volumes of gasoline, motor and heating oils, solvents and other hazardous substances to function. These substances are routinely transported and stored in huge quantities and can cause tremendous environmental damage if they are spilled or released on land or in water in large quantities. Response capabilities would likely be overwhelmed by a catastrophic spill and would fail to protect the environment.

Puget Sound is no stranger to spills of oil and other hazardous substances. For example, in November 1985, jet fuel spilled into Des Moines Creek, killing fish and other organisms in the stream. The spill eventually reached Puget Sound. In that same year, more than 75,000 gallons of a toxic chemical spilled into Hylebos Waterway in Tacoma. In December 1985, the tanker Arco Anchorage, en route from Valdez, Alaska to a refinery at Cherry Point, Washington ran aground near Port Angeles. The vessel spilled 239,000 gallons of crude oil, fouling Dungeness Spit and Ediz Hook. In 1988, the barge Nestucca collided with the tug Ocean Services and spilled 231,000 gallons of fuel oil off the coast of Washington at the mouth of Grays Harbor. The slick traveled as far north as

Vancouver Island. Oil was found on Dungeness Spit and the San Juan Islands. More than tens of thousands of marine birds and many other animals died as a result of the spill.

In 1999, a petroleum pipeline ruptured in Bellingham, Washington. Approximately 277,000 gallons of gasoline were released and flowed down Whatcom Creek towards Bellingham Bay. The gasoline ignited, and the fire killed three young people and destroyed habitat along the creek.

Numerous minor spills occur in Puget Sound every year. Large or small spills have the potential to significantly harm water quality, both now and far into the future. When a spill occurs, the oil or other hazardous substance may remain at the surface of the water, where it affects marine birds, marine mammals, fish and shellfish eggs and larvae, and other organisms. The hazardous substance may be eaten or absorbed by aquatic life and enter the food web. It may sink to the bottom of the water body where it can contaminate sediments. . Dead birds, mammals and fish, as well as fouled beaches, are dramatic, acute effects of spills. The chronic and long-term effects to resources and the economy can be extremely large, as evidenced by the 1989 Prince William Sound spill in Alaska.

What does "shall" mean?

The Action Team has determined that the actions in this plan are needed to protect and restore Puget Sound. Consistent with the importance of these actions, this plan says that appropriate implementers "shall" perform the actions. However, implementation of many of these actions is a long-term process. The Action Team's work plans will identify the actions that need to be taken each biennium to implement this management plan. Implementation of actions in the work plans is subject to the availability of funds and public input into the decision-making processes of implementing entities. When an action is included in a biennial work plan, the Action Team expects that it will be implemented in accordance with the relevant provisions of the Puget Sound management plan, in accordance with Chapter 90.71 RCW.

Institutional Framework

Spill Preparedness and Response—Under state and federal law, the party causing a petroleum spill is responsible for cleanup costs. The federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) assigns the same responsibilities for spilling other hazardous materials. These cleanup efforts are conducted pursuant to the National Contingency Plan and the joint federal/state Northwest Area Contingency Plan, both of which identify what is to be done by whom in the event of a spill. The U.S. Coast Guard and Department of Ecology are the lead agencies responsible for managing spill response in the marine waters of Puget Sound, with other federal agencies and tribal and local governments performing important roles. The Department of Ecology and U.S. Environmental Protection Agency are the lead agencies for inland spills. Ecology provides 24-hour, 365-day spill response capability in the Puget Sound region.

The States/British Columbia Oil Spill Task Force provides a mechanism for routine West Coast coordination, information sharing, oil spill mutual aid and other coordinated problem solving initiatives.

The Washington State Patrol is responsible for fire prevention and fire fighting training.

Spill Prevention—The Department of Ecology administers one of the most comprehensive spill prevention, preparedness and response statutes in the nation. The law provided for tank vessel spill prevention plans and inspections. This state spill prevention law was partially overturned by the U.S. Supreme Court during in the spring of 2000. The Department of Ecology continues to implement the remaining provisions of the law.

In 2000, Washington State adopted new pipeline safety legislation. Washington has received partial delegation of pipeline inspection authority from the federal Office of Pipeline Safety.

Program Goal

To enhance spill preparedness and response activities, while emphasizing spill prevention in Puget Sound and its tributaries, and to ensure that the spill prevention and response actions of state agencies are coordinated among themselves and with federal, local, tribal and private efforts.

Program Strategy

The strategy for achieving this goal is to review and approve industry spill prevention and contingency plans, update and revise the plans and policies for spill prevention and response, to seek improvements in vessel, liquid petroleum pipeline and oil facility safety, and provide education and technical assistance on spill prevention.

SP-1. Oil Spill Policy Implementation

Spill Preparedness and Response—The Department of Ecology shall continue to update and revise the Northwest Area Contingency Plan (NWACP) as necessary. Ecology shall continue its active involvement in the States/B.C. Task Force.

Ecology shall continue ongoing efforts to require and enforce spill prevention and contingency plans from onshore oil handling facilities. Ecology shall coordinate with the Department of Fish and Wildlife on the review of contingency plans for adequacy in protecting sensitive habitats. In updating the NWACP, Ecology shall develop policies for *in situ* burning and the use of dispersants for spill response in Puget Sound. Ecology shall provide an opportunity for Puget Sound Water Quality Action Team review of these policies prior to formal adoption.

Ecology, in coordination with Fish and Wildlife, and other organizations and experts shall continue to develop Geographic Response Plans (GRPs) that provide immediate guidance on priorities for protecting critical natural and cultural resources in Puget Sound. Because time is of the essence when a spill occurs, GRPs augment the NWACP and facility/vessel contingency plans making rapid consensus management and decision making possible by the federal, state and responsible parties' On-Scene coordinators (OSCs). This information will be broadly available and accessible..

Spill Prevention—Ecology shall continue to carry out vessel spill prevention programs; cargo and passenger-vessel screening; and field operations including vessel inspections. Ecology will continue to evaluate and take appropriate action on additional mechanisms to protect Puget Sound from the risk of major and catastrophic spills. These mechanisms include working with federal entities to improve vessel traffic management and establish new marine safety mechanisms such as a Rescue Tug in the vicinity of Neah Bay, if appropriate.

SP-2. Fire Fighting and Spill Prevention

The Fire Protection Bureau of the Washington State Patrol shall design and implement a program to train local fire department and fire district representatives, businesses and industries in the provisions of Article 80 of the Uniform Fire Code (WAC 51.44.8000). The program shall be designed to promote participation by appropriate volunteer fire departments. The focus of the training shall be on building design and storage requirements for hazardous substances that will prevent release of those substances into the environment in case of an accident.

Ecology shall review the marine fire-fighting program for Puget Sound. The program shall be designed to:

- a. Inventory existing equipment, vessels and trained personnel in the Puget Sound region;
- b. Summarize existing marine fire-fighting plans for all parties likely to respond to a marine fire;
- c. Develop a comprehensive plan to establish a marine fire-fighting network;
- d. Clarify roles of potential participants; and
- e. Describe how existing marine fire fighting may be coordinated.

Target Date for SP-2: Ongoing.

SP-3. Vessel Safety

Ecology shall seek improvements in vessel safety through other state and federal authorities.. Ecology shall work closely with the U.S. Coast Guard in its implementation of its marine safety initiatives including maintaining a current Memorandum of Agreement (MOA) with the 13th District office. Ecology shall periodically report to the Puget Sound Council and Action Team on its progress under this element.

Target Date for SP-3: Ongoing.

SP-4. Spill Prevention Education

Washington Sea Grant shall continue to implement an education program targeting spill prevention for the commercial fishing industry and ports. The program shall target fishermen who fish or moor their boats in Puget Sound, and Puget Sound ports that support commercial fishing boat activity. Washington Sea Grant shall coordinate the program

with spill prevention education of recreational boaters and marinas by the State Parks and Recreation Commission (see MB-4). The program shall illustrate ways to reduce oil contamination of bilge water, reduce accidental spills of hydraulic fluid and other hazardous substances during routine maintenance, reduce spillage during refueling, and encourage proper disposal of hazardous materials. In addition, the program will focus on ways to meet shoreside hazardous material handling and disposal needs of the targeted groups. This program shall be coordinated with actions taken by Sea Grant and the departments of Ecology and Fish and Wildlife to implement program element EPI-5.1.

Target Date for SP-4: Ongoing.

SP-5. Measuring Program Effectiveness

The Puget Sound Action Team support staff shall evaluate program results through program and environmental performance measures. This supports the adaptive management approach described in the Estuary Management Program of the Puget Sound Management Plan. At a minimum, these evaluations should incorporate information from the following monitoring and assessment sources.

- a. Program measures that track implementation of this program:
 - Northwest Area Contingency Plan is updated and includes appropriate components.
 - Training on fire and spill prevention and response is available.
 - Measures to improve vessel safety are implemented.
- b. Case studies that assess the effectiveness of program actions:
 - Investigations of causes and adequacy of response to selected spills.
- c. Performance of environmental conditions for which this program is a major or important determinant (recognizing that these measures may be affected by several plan programs):
 - Number and volumes of spills; and number and type of vessel "casualties" in the Puget Sound basin.

